

JUL 29 2004



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Telephone: 202.756.8000

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JUL 29 2004

Docket No.: 50432-067

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Customer Number: 20277
Kai YANG, et al. : Confirmation Number: 9188
Serial No.: 09/817,056 : Group Art Unit: 2811
Filed: March 27, 2001 : Examiner: T, NGUYEN
For: STABILIZING FLUORINE ETCHING OF LOW-K MATERIALS

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LETTER IN RESPONSE TO
JULY 23, 2004 OFFICE ACTION

Mail Stop Response
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In the July 23, 2004 Office Action the Examiner acknowledged the response submitted May 4, 2004 but maintained the imposed rejection. Significantly, under "Response to Arguments" appearing at page 6 of the July 23, 2004 Office Action, the Examiner asserted that Exhibit A containing the Declaration pursuant to 37 C.F.R. §1.131 was not received. But Applicants **did** submit such a Declaration (three actually) as Exhibit A to the response submitted May 12, 2004. Appended hereto as Exhibit A is a copy of the Amendment submitted on May 12, 2004, together with Exhibit A, and a stamped postcard receipt acknowledging receipt of the three (3) Declarations constituting the Declaration pursuant to 37 C.F.R. §1.131 received by the U.S. PTO.

WDC99 955926-1.050432.0067

09/817,056

Based upon the foregoing, Applicants solicit the Examiner to reconsider and withdraw the imposed rejections of the pending claims for the reasons set forth in the May 12, 2004 response.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

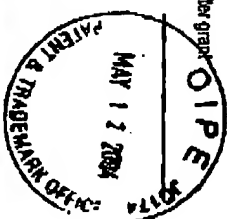
Respectfully submitted,

MCDERMOTT WILL & EMERY LLP


Arthur J. Steiner
Registration No. 26,106

600 13th Street, N.W.
Washington, DC 20005-3096
(202) 756-8000 AJS:ntb
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Date: July 29, 2004

Applicant <u>Hai YANG, et al.</u>		Docket No. <u>50432-057</u>	
Title: <u>STABILIZING FLUORINE ETCHING OF LOW-K MATERIALS</u>		Serial/Reg. Patent No. <u>09/817,056</u>	
Date Sent: <u>5/12/2004</u>	<input checked="" type="checkbox"/> Hard Copied	<input type="checkbox"/> Fax	<input type="checkbox"/> Electronic
<input type="checkbox"/> Transmittal Letter	<input type="checkbox"/> New Patent App	<input type="checkbox"/> Utility	<input type="checkbox"/> Design
<input type="checkbox"/> Other	<input type="checkbox"/> Cont	<input type="checkbox"/> CIP	<input type="checkbox"/> DM
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<input type="checkbox"/> Other	<input type="checkbox"/> Letters Submitting	<input type="checkbox"/> pages of drawings	<input type="checkbox"/> Req. for Approval of Drawing Amendments
<input type="checkbox"/> Other	<input type="checkbox"/> Req. for Oral Hearing	<input type="checkbox"/> Not. of Appeal	<input type="checkbox"/> Appeal Brief
<input type="checkbox"/> Other	<input type="checkbox"/> Rule 312 Amendment Letter	<input type="checkbox"/> Req. for Acknowledgment of Claim Am	<input type="checkbox"/> Reply Brief
<input type="checkbox"/> Other	<input type="checkbox"/> Issue Fee	<input type="checkbox"/> Publication Fee	<input type="checkbox"/> Req. for Certificate of Correction
<input type="checkbox"/> Other	<input type="checkbox"/> Maintenance Fee for <u> </u> years after grant	<input type="checkbox"/> Free Address Indication Form	<input type="checkbox"/> Terminal Disclaimer
<input type="checkbox"/> Other	<input type="checkbox"/> Petition to Commissioner	<input type="checkbox"/> Status Inquiry	<input checked="" type="checkbox"/> Other Declarations (3)
<input type="checkbox"/> Other	<input type="checkbox"/> Preliminary Amendment	<input type="checkbox"/> Responses to Missing Parts Notice	<input type="checkbox"/> Resp. to Notice to Correct App. Papers
<input type="checkbox"/> Other	<input type="checkbox"/> Certified Copy of Priority Doc.	<input type="checkbox"/> Claim for Convention Priority	<input checked="" type="checkbox"/> Responses/Amendment to Office Action of <u>February 13, 2004</u>
<input type="checkbox"/> Other	<input type="checkbox"/> Request for <u> </u> month Extension of Time	<input type="checkbox"/> Change Deposit Act. 5004173	<input type="checkbox"/> Adj. Int.
<input type="checkbox"/> Other	<input type="checkbox"/> Adj. Int.	<input type="checkbox"/> AJS	<input type="checkbox"/> Trg. #
<input type="checkbox"/> Other	<input type="checkbox"/> 4236	<input type="checkbox"/> Secy. or PL	<input type="checkbox"/> NBatt
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JUL 29 2004

Docket No.: 50432-067

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Customer Number: 20277
Kai YANG, et al. : Confirmation Number: 9188
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AMENDMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The following Amendment and Remarks are submitted in response to the Office Action dated February 13, 2004.